

IN RE: LESLIE ITTANPILLAI)
) CASE NO.: 1817
EMT I.D. NO.: 2048459)

Pursuant to due notice, a hearing was held before the Delaware State Fire Prevention Commission on February 19, 2019, concerning a disciplinary complaint against Leslie Ittanpillai. In the Complaint, the State of Delaware alleged that Ms. Ittanpillai violated the provisions of 16 *Del. C.* § 6712 and Part 710, Section 14.4 of the Commission Regulations in that her conduct was unprofessional as well as Part 710, Section 7.2.4.2 of the Commission Regulations that require at least one certified EMT to always be in the patient care compartment when transporting a patient.

SUMMARY OF THE EVIDENCE

State's Exhibit 4, consisting of a letter sent by Ms. Ittanpillai to DAG Mulveny, including a copy of the envelope.

The State called Ms. Sherry Lambertson as its first witness. After being sworn, Ms. Lambertson testified that she is employed as the Executive Director for the State Fire Prevention Commission. She is involved in oversight of the day to day activities of the Commission. She has held this position for twenty years. In order to notify Ms. Ittanpillai of today's hearing, Ms. Lambertson testified that she sent a copy of the state's complaint at State's Exhibit 1 by certified and regular mail to the address Ms. Ittanpillai provided to the State Fire School. All certificate holders are required to keep their addresses up to date with the State Fire School. The certified mail copies were returned as unclaimed, but the first class mail was not returned.

The State called Dave Truax as its next witness. Mr. Truax was sworn and testified that he is employed by the Delaware State Fire Commission as a compliance officer and investigator. In that capacity, he inspects ambulances in the state for compliance with regulations and investigates complaints. In this matter, Mr. Truax conducted an investigation after he received a complaint over the Commission's website. Mr. Truax identified the State's Exhibit 2 as the investigative report that he prepared after investigating the complaint that was filed in this matter. Once the complaint was received, Mr. Truax testified that he sent multiple emails to Ms. Ittanpillai and none were responded to. Mr. Truax also reached out to Ms. Ittanpillai's employer and obtained Ms. Ittanpillai's phone number. Mr. Truax called the phone number and left at least two messages, neither of which Ms. Ittanpillai responded to. Mr. Truax moved forward with his investigation, interviewing Ms. Ittanpillai's partner on the day in question and subpoenaing the patient care reports for the date of the incident as well. Mr. Truax identified State's Exhibit 3 as the patient care report that he received from Hart to Heart in response to his subpoena. The investigation in this matter was hindered by Ms. Ittanpillai's failure to participate and provide her side of the story. Nevertheless, Mr. Truax was able to determine following his investigation that Ms. Ittanpillai

refused to ride in the back of the ambulance for a portion of the trip on the date in question and required that the driver provide at least some basic care that should have been provided by Ms. Ittanpillai. Since this incident, Ms. Ittanpillai refused to take the new protocol training, essentially decertifying herself as an EMT in Delaware.

The State next called Sheri Camp. Ms. Camp testified that she was a driver for Hart to Heart. She drives the ambulance and was a partner with the tech. Since the time of this incident, she switched jobs and now works for Mid Atlantic. While working on June 22, 2018, Ms. Camp was working with Ms. Ittanpillai. On that day, Ms. Camp got the call late and night (she was working overnight). She was transporting a patient from Kent General Hospital to Jefferson Hospital. While waiting for the paperwork, the patient walked out of his room and sat on the stretcher. Ms. Ittanpillai got the information she needed from medical personnel and Ms. Camp inquired if any of the family members would be travelling with them. The patient's wife indicated that she was going with the ambulance. Ms. Camp and the wife then got into the cab and Ms. Ittanpillai and the patient were in the back. Before they left Kent General, Ms. Ittanpillai approached the window of the cab and said that the patient was being combative. Ms. Camp indicated it was Ms. Ittanpillai's call as to whether they began the transport or returned the patient to the hospital. Ms. Ittanpillai indicated that they were OK to proceed with the transport. After about 35 minutes of travelling north on Route 1, Ms. Camp heard the seatbelt hit the floor in the rear of the ambulance and she looked in the rearview mirror and saw the patient standing in the ambulance and Ms. Ittanpillai was climbing through the window into the front portion of the cab with Ms. Camp and the wife. Ms. Camp pulled over and called her dispatch, who told her to call 911. Ms. Ittanpillai was screaming that the patient was combative and they should not be transporting him. Ms. Camp asked the patient what was going on and he indicated that he needed

to use the bathroom and that he had been telling Ms. Ittanpillai that he had to use the bathroom. Ms. Camp asked Ms. Ittanpillai to get the patient a urinal and Ms. Ittanpillai refused. State police reported to the side of the road and Ms. Ittanpillai told the officers that the patient was “psychotic” and she demanded that the troopers take the patient. The troopers refused, indicating that they were not permitted to interfere with a medical transport. Dispatch indicated that Ms. Camp should reroute to Christiana Care in Middletown. The State police indicated they would chaperone the transport to Middletown. Ms. Camp instructed Ms. Ittanpillai to return to the back patient area and she refused, again indicating the patient was psychotic. Ms. Camp asked Ms. Ittanpillai to call Middletown and let them know that the ambulance was on the way. Ms. Ittanpillai refused and said she was “done with this patient.” When they arrived at Middletown, Ms. Ittanpillai refused to assist with removing the stretcher from the ambulance and Ms. Camp had to get the trooper to help her remove the stretcher, and transport it to an area in Middletown Christiana Care at the direction of the Emergency Room physician. Ms. Ittanpillai further refused to assist with transporting the patient off of the ambulance stretcher onto the Middletown bed and Ms. Camp had to do the transfer herself with the assistance of the nurses.

Turning to State’s Exhibit 3, Ms. Camp identified the patient care report as a record kept in the normal course of business, generated after every patient incident.

Upon questioning from the Commission, Ms. Camp indicated that she does not hold an EMT BLS license. At no point in the transport did Ms. Ittanpillai indicate that the patient was becoming physical or aggressive. She could hear Ms. Ittanpillai and the patient talking, but she could not hear precisely what they were saying to one another. She did not hear raised voices or anything overtly aggressive before Ms. Ittanpillai started through the cab window.

The State called Dr. Patrick Matthews as its next witness. Dr. Matthews testified that he is the State Medical Director. Dr. Matthews reviewed State's Exhibit 4, the letter from Ms. Ittanpillai to DAG Mulveny. Dr. Matthews indicated that the letter explains why Ms. Ittanpillai will not be attending a hearing in this matter. Dr. Matthews also characterized the letter as Ms. Ittanpillai's version of events of what happened that evening. Dr. Matthews was clear that no ambulance provider is ever required to put themselves into harm's way. In his opinion, here there may have been an initial concern for safety of the EMT, but once the police were on the scene and the situation deescalated and the patient once again placed in the back of the ambulance, patient care standards must again take priority. Here, Ms. Ittanpillai should have returned to the patient compartment of the ambulance after the safety considerations were addressed. Her failure to do so was unprofessional conduct, in Dr. Matthews opinion. Dr. Matthews recommends that the Commission accept that Ms. Ittanpillai's voluntary decertification and require her to present to the Commission and explain her actions before she can be recertified.

Upon questioning from the Commission, Dr. Matthews indicated that once the safety concerns were addressed, there was a violation of the Commission regulations.

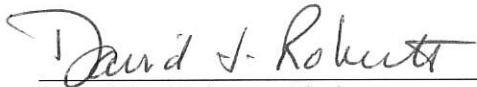
FINDINGS OF FACT AND CONCLUSIONS OF LAW

Commission Regulation Part 710, Section 7.2.4.2 requires at least one certified EMT to always be in the patient care compartment when transporting a patient. The Commission finds as a matter of fact that Ms. Ittanpillai failed to remain in the patient care compartment on June 22, 2018, when she exited the patient care compartment and refused to return to the patient care compartment, ordering the patient's wife to climb into the patient care compartment instead. The Commission bases this finding on the testimony of Ms. Camp and Ms. Ittanpillai's letter admitting that she did not return to the patient compartment.

Commission Regulation Part 710, Section 14.4.1.5 provides that an EMT may lose their Delaware EMT Certification if the EMT “[h]as violated or aided or abetted in the violation of any provision of this Regulation. Here, the Commission finds that Ms. Ittanpillai violated Regulation Part 710, Section 7.2.4.2 which requires that “[a] minimum of one Delaware State Certified EMT or a Paramedic licensed in the State of Delaware shall always be in the patient compartment when a patient is present.” While the Commission acknowledges that there may have been there may have been an initial concern for Ms. Ittanpillai’s safety caused by the patient’s conduct, once the police were on the scene and the situation deescalated and the patient once again placed in the back of the ambulance, patient care standards should have absolutely taken priority. Ms. Ittanpillai’s refusal to return to the patient compartment of the ambulance was unexcusable, placed her patient at risk, and was a clear violation of this Commission’s regulations. Ms. Ittanpillai’s divergence from the standard of care here was so blatant the Commission believes that revocation of Ms. Ittanpillai’s Certification is necessary to adequately protect the public.

Accordingly, the Commission revokes the EMT Certification of Leslie Ittanpillai.

IT IS SO ORDERED, this 16th day of April, 2019:



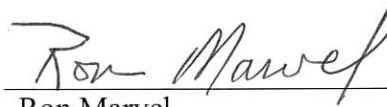
David J. Roberts, Chairman



Alan Robinson, Vice Chairman



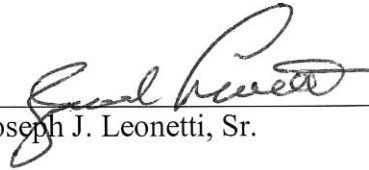
Lynn Truitt



Ron Marvel



Richard T. Perillo



Joseph J. Leonetti, Sr.